

# Notice of Allowability

Application No.

09/637,053

Examiner

CUONG H. NGUYEN

Applicant(s)

CALONGE, CYNTHIA

Art Unit

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the 2<sup>nd</sup> Appeal Brief submitted on 2/16/06.
2. ☒ The allowed claim(s) is/are 1,4-6; they are renumbered as 1-4. Formal drawings were accepted by the examiner.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

  
CUONG H. NGUYEN  
Primary Examiner  
Art Unit: 3661

***DETAILED ACTION***

1. This Office Action is the answer to 2<sup>nd</sup> Appeal Brief received on 2/16/2006.

**Status of the claims**

2. Claims 1, 4-6 are pending, and are appealed. Claims 2-3 were canceled.

***Drawings***

3. Formal drawings were acceptable by the examiner on 8/11/2000.

***Allowable Subject Matter & Reasons for Allowance***

4. Independent claim 1 is patentable over the closest reference of Giovannoli because Giovannoli do not anticipate or obviously disclose a method for establishing and brokering a transaction between purchasers and vendors over a wide area computer network, comprising:

- providing a database of vendor information to at least one potential purchaser for review by said potential purchaser, said vendor information comprising descriptions of the goods and services offered by a plurality of vendors;
- providing a request for proposal (RFP) template to said at least one potential purchaser over said wide area computer network;
- receiving RFP information from said at least one potential purchaser into said RFP template, over said wide area computer network, said RFP information comprising a description of the goods and services required by said at least one potential purchaser;
- comparing said description of the goods and services required by said at least one potential purchaser in said RFP information with said descriptions of the goods

and services offered by said plurality of vendors in said vendor database, said comparing step carried out automatically by computer;

- identifying vendors in said vendor database offering goods and services similar to said goods and services required by said at least one potential purchaser, said identifying step carried out automatically by computer;
- generating a sub-list of potential vendors identified in said identifying step for review by said at least one potential purchaser;
- selecting at least one of said potential vendors from said generated sub-list to receive said RFP information. said selecting step carried out by said at least one potential purchaser;
- communicating said RFP information to said selected potential vendors;
- communicating a response from at least one of said selected potential vendors to said at least one potential purchaser, said response comprising a proposal to provide goods and services to said at least one potential purchaser at a specified price and according to specified terms; and
- communicating an acceptance or a rejection from said at least one potential purchaser to said at least one of said selected potential vendors.

Giovannoli does not disclose that a potential buyer has an opportunity to review a list of selected vendors before the RFQ goes out; while the pending claim asserts a step of “generating a sub-list of potential vendors identified in said identifying step for review by said at least one potential purchaser”.


5. Claims 4-6 are allowed because they are dependent on claim 1.

*Conclusion*

6. Claims 1, 4-6 are patentable. Claims 4-6 are renumbered as claim s 2, 4, 3.
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CUONG H. NGUYEN whose telephone number is 571-272-6759. The examiner can normally be reached on 9:30 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THOMAS G. BLACK can be reached on 571-272-6956. The Rightfax number for the organization where this application is assigned is 571-273-6956.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
CUONG H. NGUYEN  
Primary Examiner  
Art Unit 3661